

1 **BOIES SCHILLER FLEXNER LLP**
2 David Boies (admitted *pro hac vice*)
3 333 Main Street
4 Armonk, NY 10504
5 Tel: (914) 749-8200
6 dboies@bsfllp.com
7 Mark C. Mao, CA Bar No. 236165
8 Beko Reblitz-Richardson, CA Bar No. 238027
9 Erika Nyborg-Burch, CA Bar No. 342125
10 44 Montgomery St., 41st Floor
11 San Francisco, CA 94104
12 Tel.: (415) 293-6800
13 mmao@bsfllp.com
14 brichardson@bsfllp.com
15 enyborg-burch@bsfllp.com
16 James Lee (admitted *pro hac vice*)
17 Rossana Baeza (admitted *pro hac vice*)
18 100 SE 2nd St., 28th Floor
19 Miami, FL 33131
20 Tel.: (305) 539-8400
21 jlee@bsfllp.com
22 rbaeza@bsfllp.com
23 Alison L. Anderson, CA Bar No. 275334
24 725 S Figueroa St., 31st Floor
25 Los Angeles, CA 90017
26 Tel.: (213) 995-5720
27 alanderson@bsfllp.com

1 **SUSMAN GODFREY L.L.P.**
2 Bill Carmody (admitted *pro hac vice*)
3 Shawn J. Rabin (admitted *pro hac vice*)
4 Steven M. Shepard (admitted *pro hac vice*)
5 Alexander Frawley (admitted *pro hac vice*)
6 1301 Avenue of the Americas, 32nd Floor
7 New York, NY 10019
8 Tel.: (212) 336-8330
9 bcarmody@susmangodfrey.com
10 srabin@susmangodfrey.com
11 sshepard@susmangodfrey.com
12 afrawley@susmangodfrey.com
13 Amanda K. Bonn, CA Bar No. 270891
14 1900 Avenue of the Stars, Suite 1400
15 Los Angeles, CA 90067
16 Tel.: (310) 789-3100
17 abonn@susmangodfrey.com

1 **MORGAN & MORGAN**
2 John A. Yanchunis (admitted *pro hac vice*)
3 Ryan J. McGee (admitted *pro hac vice*)
4 201 N. Franklin Street, 7th Floor
5 Tampa, FL 33602
6 Tel.: (813) 223-5505
7 jyanchunis@forthepeople.com
8 rmcgee@forthepeople.com
9 Michael F. Ram, CA Bar No. 104805
10 711 Van Ness Ave, Suite 500
11 San Francisco, CA 94102
12 Tel: (415) 358-6913
13 mram@forthepeople.com

1 **UNITED STATES DISTRICT COURT**
2 **NORTHERN DISTRICT OF CALIFORNIA**

3 CHASOM BROWN, WILLIAM BYATT,
4 JEREMY DAVIS, CHRISTOPHER
5 CASTILLO, and MONIQUE TRUJILLO
6 individually and on behalf of all similarly
7 situated,

8 Plaintiffs,

9 vs.

10 GOOGLE LLC,

11 Defendant.

12 Case No.: 4:20-cv-03664-YGR-SVK

13 **DECLARATION OF ALEXANDER P.
14 FRAWLEY IN OPPOSITION TO
15 GOOGLE'S MOTION TO EXCLUDE
16 OPINIONS OF PLAINTIFFS' EXPERT
17 BRUCE SCHNEIER (DKT. 664)**

18 Judge: Hon. Yvonne Gonzalez Rogers

19 Date: September 20, 2022

20 Time: 2:00 p.m.

21 Location: Courtroom 1 – 4th Floor

DECLARATION OF ALEXANDER P. FRAWLEY

1. I am an associate with the law firm of Susman Godfrey LLP, counsel for Plaintiffs in this matter. I am an attorney at law duly licensed to practice before all courts of the State of New York and admitted *pro hac vice* for this case (Dkt. 97). I have personal knowledge of the matters set forth herein and am competent to testify.

2. I submit this Declaration with Plaintiffs' opposition to Google's motion to exclude the opinions of Plaintiffs' expert Bruce Schneier (Dkt. 664).

3. Attached hereto as **Exhibit 1** is a true and correct copy of excerpts from a document that Google produced in discovery, labeled GOOG-CABR-00128941.

4. Attached hereto as **Exhibit 2** is a true and correct copy of excerpts from the transcript of the July 18, 2022 deposition of Bruce Schneier in this case.

5. Attached hereto as **Exhibit 3** is a true and correct copy of excerpts from a document that Google produced in discovery, labeled GOOG-CABR-00111416.

6. Attached hereto as **Exhibit 4** is a true and correct copy of excerpts from a document that Google produced in discovery, labeled GOOG-BRWN-00051239.

7. Attached hereto as **Exhibit 5** is a true and correct copy of an article titled, “Google’s Eric Schmidt Calls Julian Assange ‘Paranoid’ and Says Tim Cook is Wrong,” written by Nicole Sawyer and published on September 23, 2014. This article was last accessed on August 19, 2022 and is available at this link: <https://abcnews.go.com/Business/googles-eric-schmidt-calls-julian-assange-paranoid-tim/story?id=25679642>.

8. Attached hereto as **Exhibit 6** is a true and correct copy of a document that Google produced in discovery, labeled GOOG-CABR-04780837.

9. Attached hereto as **Exhibit 7** is a true and correct copy of a document that Google produced in discovery, labeled GOOG-BRWN-00060463.

10. Attached hereto as **Exhibit 8** is a true and correct copy of a document that Google produced in discovery, labeled GOOG-CABR-00358713.

11. Attached hereto as **Exhibit 9** is a true and correct copy of a document that Google produced in discovery, labeled GOOG-CABR-00501220.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 19th day of August, 2022, at New York, New York.

/s/ Alexander Frawley